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PHILIP MORRIS
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INTER-OFFICE CORRESPONDENCE

To: Distribution

From: Frederick Dulles

Subject: BARCLAY in Switzerland

Date: 8 November 1984

C.C.:

Please find enclosed a photocopy of the original text in French and an English translation of the Notice dated 6 November 1984 from the Clerk of the Swiss Federal Court announcing the Court's decision of 2 November 1984 to reject the appeal of B.A.T. (Suisse) S.A. against the order of provisional measures issued on 29 June 1984 by the Court of Justice in Geneva.

As a result of the Federal Court's decision, the suspension of the Geneva Court's order, which was granted on July 3rd when BAT lodged its appeal, has been lifted, and the order is in effect as of yesterday, November 7th.

Pursuant to the June 29th order, BAT is prohibited from:

- offering for sale, selling and distributing BARCLAY cigarettes in packaging claiming a tar (condensate) content of 1 mg and a nicotine content of 0.2 mg; and

- using in any press, printed or cinema advertising any reference to a tar (condensate) content of 1 mg and or a nicotine content of 0.2mg in relation to the sale or distribution of BARCLAY cigarettes.

Further, the Geneva Court ordered:

- the provisional seizure of all cigarette packs, held by BAT, bearing the brand name BARCLAY, on which appear the statements "condensate 1 mg - nicotine 0.2 mg - determined by standard methods"; and

- the seizure of all publicity material (catalogues, prospectuses, posters) held by BAT related to BARCLAY cigarettes, offered in packaging claiming a tar (condensate) content of 1 mg and/or a nicotine content of 0.2 mg.

F H Dulles.

Frederick Dulles

Encs.

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